APPEAL NO. 020542
FILED APPEAL 16, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on February 14, 2002. The hearing officer resolved the disputed issue by concluding that the respondent's (claimant) compensable injury extends to and includes right carpal tunnel syndrome (CTS). The appellant (carrier) appeals, arguing that there is not sufficient evidence in the record to support the determinations of the hearing officer or, alternatively, that the determinations are so contrary to that evidence as to be manifestly unjust, requiring reversal. The appeal file does not contain a response from the respondent (claimant). The subclaimant, a chiropractor, filed a response arguing, essentially, that the evidence was sufficient to support the determinations of the hearing officer.

DECISION

Affirmed.

It was undisputed that the claimant sustained a compensable injury on _____. The hearing officer found that the right CTS was confirmed by objective diagnostic testing and that both the treating doctor and the subclaimant attributed the CTS to the compensable injury. The hearing officer was not persuaded by the designated doctor, who concluded that the CTS was not a result of the compensable injury. The designated doctor's opinion on extent of injury is not entitled to presumptive weight. Texas Workers' Compensation Commission Appeal No. 950789, decided June 30, 1995. The challenged determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The carrier argues that the hearing officer allowed the subclaimant to testify to matters beyond his professional expertise regarding prescription medication and that the hearing officer improperly limited the carrier's attorney's ability to cross-examine the subclaimant regarding his financial interest in the case. We review a hearing officer's evidentiary rulings on an abuse-of-discretion standard, and we are satisfied that the hearing officer did not abuse his discretion with this evidentiary ruling. Morrow v. H.E.B., Inc., 714 S.W.2d 297 (Tex. 1986). It has also been stated that reversible error is not ordinarily shown in connection with rulings on questions of evidence unless the whole case turns on the particular evidence admitted or excluded. Atlantic Mutual Insurance Company v. Middleman, 661 S.W.2d 182 (Tex. App.-San Antonio 1983, writ ref'd n.r.e.). We conclude that the carrier has not shown that error, if any, in the admission of testimony from the subclaimant regarding the claimant's prescription medication or the exclusion of additional cross-examination of the subclaimant regarding his financial interest in the case, amounted to reversible error.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **LEGION INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY**
**800 BRAZOS**
**AUSTIN, TEXAS 78701**.

Thomas A. Knapp
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Gary L. Kilgore
Appeals Judge